

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**DILSHAD YOUSIF,**

Civil Case No. CV 08-30-KI

Petitioner,

Agency # A 76-201-911

vs.

**MICHAEL MUKASEY**, Attorney General of  
the United States, **ROBERT S. MUELLER**  
**III**, Director of the Federal Bureau of  
Investigation, **MICHAEL A. CANNON** Chief,  
National Namecheck Section of the Federal  
Bureau of Investigation, **MICHAEL**  
**CHERTOFF**, Secretary of the Department of  
Homeland Security, **EMILIO GONZALES**,  
Director, United States Citizenship and  
Immigration Services, **WILLIAM**  
**McNAMEE**, District Director, United States  
Citizenship and Immigration Services,  
Respondents.

**ORDER OF REMAND WITH  
INSTRUCTIONS**

Based on the joint motion of the parties and the files and records in the case, it is  
HEREBY ORDERED AND ADJUDGED as follows.

1. This matter shall be remanded to the USCIS Respondents with instructions to adjudicate Petitioner's Application for Naturalization, Immigration Form N-400, and, if the application is approved, swear in Petitioner as a citizen of the United States within 60 days of the date of the order of remand.
2. If, for whatever reason, Petitioner's Application for Naturalization, Immigration Form N-400, is not adjudicated within 60 days from the date of the order of remand, this Court shall retain jurisdiction to review the matter.

3. All parties waive their rights to appeal this order of remand.
4. This order of remand shall be without prejudice to the right of Petitioner to apply for attorney fees and costs under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), and related sections, against the Respondents.

Dated this 4<sup>th</sup> day of February, 2008.

  
HONORABLE GARR M. KING  
United States District Court Judge